

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JONATHAN MICHAEL ATHA,

Plaintiff,

v.

RUSSELL WASHBURN, et al.

Defendants.

)
)
)
)
)
)
)
)
)
)

Case No. 3:19-cv-00544

JUDGE CAMPBELL

MAGISTRATE JUDGE HOLMES


ORDER

Pending before the Court is a Report and Recommendation from the Magistrate Judge (Doc. No. 26), recommending that the Court deny Plaintiff's Motion for a Temporary Restraining Order (Doc. No. 3). In his motion for a temporary restraining order, Plaintiff seeks an order directing prison officials to place him in protective custody and directing that he be housed at the Trousdale Turner Correctional Center until this lawsuit is settled. The Magistrate Judge recommends the Court deny Plaintiff's motion for a temporary restraining order noting that Plaintiff has been transferred to the South Central Correctional Facility was confined in solitary confinement. (*See* Doc. No. 7). Plaintiff's recent filing indicates that, as of October 11, 2019, he remained in solitary confinement. (*See* Doc. No. 43). In addition the Magistrate Judge found that Plaintiff did not show a strong likelihood of success on the merits or a compelling showing that the public interest would be served by the issuance of a temporary restraining order.

The Report and Recommendation advised the parties that any objections to the Magistrate Judge's findings were to be filed within fourteen days of service (Doc. No. 26 at 4). The Plaintiff did not file objections to the Report and Recommendation of the Magistrate Judge.

The Court has reviewed the Report and Recommendation (Doc. No. 26) and concludes that it should be adopted and approved. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** and **APPROVED**, and Plaintiff's Motion for a Temporary Restraining Order (Doc. No. 3) is **DENIED**.

It is so **ORDERED**.



WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE